

***Remarks***

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-24 are pending in the application, with 1, 15, and 24 being the independent claims. Claims 1-23 are sought to be amended. Claims 1 and 15 have been amended to clarify the subject matter claimed therein in accordance with a telephonic interview with the Examiner on June 3, 2005. Claims 2-14 and 16-23 have been amended to correct informalities. Likewise, the specification has been amended to correct informalities in the Cross-Reference to Related Applications section and in paragraph [0058]. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn. Additionally, Applicants reserve the right to appeal.

***Rejections under 35 U.S.C. § 102***

The Examiner has rejected claims 1-23 under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 6,621,812 to Chapman *et al.* ("Chapman"). Based on the following remarks, Applicants respectfully traverse.

The method of claim 1, as currently amended, recites:

A method for suppressing silence in bi-directional communications between a centralized node and a plurality of local nodes in an asynchronous network environment, comprising the steps of:

detecting a silent period in an upstream channel, said upstream channel transmitting data from a local node; and

deactivating unsolicited grant service and not activating request polling in response to said detecting a silent period.

Chapman does not teach or suggest each of the foregoing features of claim 1. For example, Chapman does not teach or suggest "deactivating unsolicited grant service and not activating request polling in response to said detecting a silent period," as recited in claim 1. Rather, Chapman teaches *switching from unsolicited grant service to request polling* when unsolicited grants are not being used. (Chapman at Abstract). Indeed, the shortcomings of the method used in Chapman are described in the specification of the instant application:

It is obvious that any kind of polling results in a large amount of overhead. A way to reduce this overhead is accomplished by the present invention via its call reactivation mechanism by using priorities in contention mini-slots. *Here, overhead is reduced by 1) eliminating the polls, 2) letting them share across all voice calls, and 3) less contention mini-slots are needed to transmit successfully a request as compared to the continuous polls.* See Specification, paragraph [0041] (emphasis added).

Since Chapman fails to teach or suggest each and every feature of independent claim 1, Chapman fails to anticipate claim 1. Chapman also fails to anticipate dependent claims 2-14 for at least the same reasons as independent claim 1 from which they depend and further in view of their own respective features.

Furthermore, the method of claim 15, as currently amended, recites:

A method for compressing silence in bi-directional communications between a centralized node and a plurality of local nodes in an asynchronous network environment, comprising the steps of:

providing a first level of unsolicited grant service having a first bandwidth requirement;

detecting a silent period in an upstream channel, said upstream channel transmitting data from a local node; and

providing a second level of unsolicited grant service in response to said detecting a silent period, wherein said second level of unsolicited grant service has a second bandwidth requirement that is less than said first bandwidth requirement.

Chapman does not teach or suggest each of the foregoing features of claim 15. For example, Chapman does not teach or suggest "providing a second level of unsolicited grant service in response to said detecting a silent period, wherein said second level of unsolicited grant service has a second bandwidth requirement that is less than said first bandwidth requirement," as recited in claim 15. Rather, Chapman describes that the cable modem (CM) *stops using the unsolicited grants* given to it by the cable modem termination system (CMTS) when Voice Activity Detection (VAD) stops audio packet transmission. (Chapman at col. 4, lines 56-61, emphasis added). As noted in the Specification of the instant application, with respect to an embodiment:

[A]n activity detection mechanism translates to a two state call with a fixed bandwidth requirement during the active state, and *a fixed, but smaller, bandwidth requirement during the silence period*. The present invention refers to this as silence compression since the silence is compressed instead of being eliminated. See Specification, paragraph [0038] (emphasis added).

Since Chapman fails to teach or suggest each and every feature of independent claim 15, Chapman fails to anticipate claim 15. Chapman also fails to anticipate dependent claims 16-23 for at least the same reasons as independent claim 15 from which they depend and further in view of their own respective features.

Accordingly, the Examiner's rejection of claims 1-23 under 35 U.S.C. § 102(e) is traversed and Applicants respectfully request that the rejection be reconsidered and withdrawn.

***Other Matters***

Applicants gratefully acknowledge the Examiner's allowance of claim 24.

***Conclusion***

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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